

## ARTICLE 9

### SIGNS

#### 9-1. Purpose

The purpose of these regulations is to provide minimum control of signs to promote the health, safety and general welfare by lessening hazards to pedestrians and vehicular traffic, by preserving property values, by preventing unsightly and detrimental development that would detract from the tourist resort appeal of the community and lead to economic decline and blight, by preventing signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned and by securing certain fundamentals of design that would strengthen the community's economic base.

#### 9-2. General Sign Regulations

The following regulations apply generally to all signs and are in addition to the regulations established for each Zoning District or the regulations contained elsewhere in this Ordinance.

- A. Permit Required. No sign, unless herein excepted, shall be erected, constructed, posted, painted, altered, maintained, or relocated until a permit has been issued by the Building Inspector. Before any permit has been issued, an application shall be filed together with such drawings and specifications as may be necessary to fully advise and acquaint the Building Inspector with the location, construction, materials, manner of illuminating, and securing or fastening, and number of signs applied for and the wording of the sign or advertisement to be carried on the sign. All signs which are electrically illuminated by neon or by any other means shall require a separate electrical permit and inspection. Each sign requiring a permit shall be clearly marked with the permit number and name of the person or firm placing the sign on the premises.
- B. Exempt Signs. The following signs are exempt from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the City's Building Code.
  - 1. Official traffic signs or sign structures, or municipal information signs and provisional warning signs or sign structures, when erected or required to be erected by a governmental agency, and temporary signs indicating danger.
  - 2. Changing the copy on a bulletin board, poster board, display encasement, or marquee.
  - 3. Temporary non-illuminated signs not more than fifty (50) square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street

frontage. These signs shall be removed upon issuance of the certificate of occupancy.

4. Non-illuminated signs, not exceeding six (6) square feet in area with letters not exceeding eight (8) inches in height, painted, stamped, perforated, or stitched on the surface area of a permitted awning, canopy, roller curtain, or umbrella but not in Zoning Districts R-R, R-1A, R-1B and RD.
5. Sign on truck, bus or other vehicle while in use in the normal course of a business.
6. A name plate, two (2) square foot in area, to identify the owner or occupant of a dwelling or building.
7. Symbolic flag and award flag of an institution or business (house flag), not to exceed one for each fifty (50) feet of street frontage adjacent to an institution or business.
8. Weather flags, for providing information on weather conditions, one (1) set for each premises.
9. Real estate signs, temporary in nature, non-illuminated, not exceeding six (6) square feet in area, advertising real estate for sale or lease or rent, or announcing contemplated improvements of real estate, one sign for each street frontage.
10. Window signs.
11. Temporary decorative flags and bunting for conventions and commemorations.
12. Political signs which are displayed only during the duration of a campaign. All such signs shall be removed within five (5) days after election. Political signs located within residential districts shall not exceed four (4) square feet in area.
13. A national flag or a flag of a political subdivision of the United States or a flag of a bona fide civic, charitable, fraternal or welfare organization, provided that not more than one flag shall be displayed on any single premise, and provided further that the maximum size of the flag shall not exceed five (5) feet in height (hoist) and ten (10) feet in length (fly). The City Council may authorize the display of additional flags of the United States of America on private and public property during specified national Holiday periods.
14. Signs erected upon lands owned in fee by the State of Alabama, in execution or direct furtherance of a governmental function of the State or its political subdivisions or agencies.

- C. Erection of Signs in Special Cases. The Zoning Official shall have the authority to grant permits for certain signs in special cases, normally prohibited under section 9-2D, Pennants, Banners, Streamers. A bond in sufficient amount to protect the City against all liabilities may be required. A Special Case shall be defined as an event associated with temporary carnivals, festivals, fairs, educational events, charitable events, reunions, grand openings, church events, or any other event requiring an assembly permit.
- D. Pennants, Banners, Streamers. Pennants, banners, streamers, and all other fluttering, spinning or similar type signs and advertising devices, visible from any public right-of-way, are prohibited except during recognized holiday periods as provided in subsection 9-2C preceding, or as provided in subsection 9-3G following.
- E. Signs Over Public Property.
1. No sign of any character shall be suspended across any public street, alley or waterway; nor shall any sign of any description be painted on or applied to any curb, sidewalk, tree, light standard, utility pole, hydrant, bridge, wall, bench, trash receptacle, or any structure, unless specifically permitted by this Ordinance, except on a temporary permit basis as provided in section 9-2.C of this Ordinance.
  2. No portion of any flat sign or projecting sign shall project over any street or alley right-of-way for a distance of more than four (4') feet.
  3. No detached ground or pole sign shall extend or project over any portion of any sidewalk, street, alley, waterway or any other public way or any public property with the exception of those as provided for in Section 9-2.L.2. or those as provided for in existing Municipal Information Sign Franchise Agreements.
  4. The City may from time to time locate public recycling container stations on public rights of way or other public property, directly, by contract, or by franchise. As may be determined by the City Council and notwithstanding the provisions of any other section or subsection of Article 9 of the Zoning Ordinance, such public recycling container stations may have as attachments recycling sponsorship acknowledgement display panels in form, size and content approved by the City Council or its designee.
- F. General Advertising Signs. No general advertising sign shall be constructed, erected, used, operated or maintained in the City of Gulf Shores.
- G. Intersection Visibility. No sign is to be placed or located in conflict with the vision clearance requirements of section 8-1E of this Ordinance.

H. Signs and Sign Devices Prohibited.

1. No sign shall be erected which is of a rotating nature and/or displays either intermittent light and/or light of such intensity that it either constitutes, because of its location, hazardous condition to motorists, or simulates lights customarily associated with those used by police, fire, ambulance, or similar emergency vehicle.
2. No sign shall be erected which uses the words "stop" or "danger" so as to imply the need or requirement for stopping, or the existence of danger, or which is a copy of imitation of an official sign. This provision does not apply when the words are part of an attraction title for a theater or similar event or purpose.
3. No sign shall be attached or otherwise applied to trees, utility poles, bus benches, trash receptacles, or any other unapproved structures.
4. No sign shall have spinning, or strings of spinning, or similar type devices.
5. Moveable signs, including mobile signs, sidewalk and sandwich signs are prohibited.

I. Maximum Height of Detached Signs. The height of detached signs shall not exceed eight (8) feet in any residential district or twenty-five (25) feet in any business, commercial, or industrial district.

J. Sign Illumination. Any permitted sign in any district may be indirectly illuminated unless otherwise prohibited by this Ordinance. Illuminated signs which give forth artificial light are prohibited unless permitted by specific provisions of this Ordinance.

K. Nonconforming Signs.

1. For purposes of this Subsection K., the term "the effective date of nonconformity" with respect to a sign shall mean:
  - a. May 10, 1982, for any sign existing within the corporate limits of the City of Gulf Shores as such limits existed on May 10, 1982, which was rendered nonconforming by the enactment of Ordinance No. 235;
  - b. the effective date of any subsequent ordinance amending Ordinance No. 235, for any sign first rendered nonconforming by such subsequent ordinance;
  - c. the effective date of annexation, for any sign first rendered nonconforming by the annexation of its site into the corporate

limits of the City of Gulf Shores on a date subsequent to May 10, 1982.

2. Except as otherwise provided in this Section K., all legally existing nonconforming signs (except movable signs) which lawfully existed prior to the effective date of nonconformity may continue to lawfully exist; provided, however, signs which are determined by the Zoning Official to have been structurally damaged or deteriorated by any cause including age to the extent of more than fifty percent (50%) of their current cost of replacement shall be either removed or altered so as to comply with the provisions of this Ordinance. Nonconforming signs (other than general advertising signs) shall also be either removed or altered to comply with the provisions of this Ordinance in any instance where a change in use, occupancy, or ownership occurs which necessitates the altering of the sign in any manner.
3. If not sooner removed or altered in accordance with subsection K.2. above, any legally existing nonconforming sign (other than a movable sign) shall be either removed or altered so as to comply with the provisions of this Ordinance within ten (10) years after its effective date of nonconformity.
4. The owner of a legally existing nonconforming sign subject to removal pursuant to Subsection K.3. of this Section and made subject to a Notice to Cease and Desist by the Zoning Official may file a sworn claim with the Zoning Official for any compensation the owner contends is allowed by law for the removal of such sign. In the case of a general advertising sign, an owner of real property who derives revenue from a lease or license of such property to the owner of a sign shall separately be considered an owner for the purpose of compensation under this Subsection K.4. Upon the filing of such a claim prior to the removal of such sign, the Zoning Official may, in his discretion, suspend the operation of the Notice to Cease and Desist pending consideration of the claim. Such claim shall document (a) the legal basis on which such compensation is claimed; (b) the date and original cost of erection of the sign; (c) the depreciated value of the sign as reflected on the books and records of the owner as of the effective date of the nonconformity; (d) the depreciated value of the sign as reflected on the books and records of the owner as of the date of removal of the sign, or as of the date of affixing of the Notice to Cease and Desist to the sign, if removal has not been effected; (e) the current reasonable salvage value of the sign materials, if any; (f) the complete terms and duration of any lease or contract regarding such sign to which the owner was party on the date of removal or the date of the Notice to Cease and Desist, if removal has not been effected; and (g) a statement of the actual or anticipated cost of removal of the sign, supported by the invoice or bid of a contractor licensed to do business in Gulf Shores or, if removal has been or will be performed by the owner, supported by the sworn cost statement of the owner. In processing a claim for compensation, the Zoning Official shall

first secure the written opinion of the City Attorney as to whether or not the claimant has presented an appropriate legal basis for a claim of compensation. If the City Attorney's opinion is other than that an appropriate legal basis is not presented, the Zoning Official shall render a determination as to the appropriate compensation payable to the claimant by the City upon removal. Unless the opinion of the City Attorney otherwise directs, the standards to be applied by the Zoning Official shall include the following:

- (i) an award component equal to the depreciated value of the sign as reflected on the books and records of the owner as of the date of removal or, if not yet removed, as of the date of the Notice to Cease and Desist provided the sign has been depreciated by the owner using generally accepted accounting principles, less the reasonable salvage value of the sign materials, if any;
- (ii) an award component equal to the present value of the net revenue realizable but unrealized by the owner during the remaining term of any lease or contract with respect to the sign (A) in effect on the date of removal or the date of the Notice to Cease and Desist, if removal has not been effected, and (B) entered into prior to the effective date of nonconformity, with the remaining term measured to the earliest date a party other than the owner could elect to terminate such lease or contract on a basis other than default by the owner;
- (iii) an award component equal to the reasonable cost to the owner of removal of the sign.

The written determination of the Zoning Official with respect to the award of compensation shall be transmitted to the owner by first class mail directed to the address specified by the owner in the owner's claim and to the City Clerk and shall be deemed rendered on the date of deposit into the U.S. Mail. In the case of a sign whose removal has not yet been effected, the City Clerk shall advise the zoning Official in writing within twenty-one (21) days after the date on which the Zoning Official's written determination is rendered whether the City agrees to pay the award of compensation as determined upon removal of the sign, intends to appeal the determination as provided in Section K.5. below, or requests that the Notice to Cease and Desist with respect to the sign be withdrawn until such time as the City gives written notice of its request for a redetermination of the award of compensation. The Zoning Official shall transmit a copy of the City Clerk's written advice to the owner by first class mail as provided above.

- 5. The determination of the Zoning Official may be appealed to the Board of Adjustment in accordance with Section 16-5. Any party aggrieved by the final judgment or decision of the Board of

Adjustment or by the decision of the City Attorney that an appropriate legal basis for a compensation claim has not been presented, may apply to the Circuit Court for judicial relief within the time period as provided in Section 11-52-81 of the Code of Alabama, as amended.

In the event of an appeal of the Zoning Official's determination by any party aggrieved, the operation of any Notice to Cease and Desist then in effect shall be and remain suspended until no appeal to the Board or to any court remains pending. Upon final determination of the award of compensation in the appeals process, the City Clerk shall advise the Zoning Official in writing within twenty-one (21) days after the date of final determination whether City agrees to pay the award of compensation as finally determined upon removal of the sign or the City requests that the Notice to Cease and Desist with respect to the sign be withdrawn until such time as the City gives written notice of its request for a redetermination of the award of compensation. Upon receipt of such latter request, the Zoning Official shall withdraw the Notice to Cease and Desist and shall give the owner written notice of such withdrawal by first class mail as provided above.

6. All legally existing nonconforming movable signs shall be removed within ninety (90) days after the effective date of nonconformity.
7. No permits for additional signs shall be issued for any premises on which there are any nonconforming signs.

L. Travelers' Directional Signs. Travelers' directional signs, with the exception of those listed in subsection 9-2L2, are permitted in the BG, CD, and I-1 zone districts only when complying with the following standards:

1. Travelers' directional signs shall:
  - a. provide directions only to establishments located less than fifteen (15) miles from the location of the sign;
  - b. conform to standards of installation established by the City;
  - c. be limited to the display of the following information - name of establishment, route to be followed, miles to be traveled and symbol (arrow) indicating direction;
  - d. be limited in area to a maximum of four (4) square feet.

(Travelers' directional signs may be increased to six (6) square feet, provided that the directional signs are grouped on one uniform sign structure advertising an established business district. The square area of the entire sign may not exceed one hundred (100) square feet and may not exceed twenty-five (25) feet in height. The sign shall be limited to the advertising of businesses located within the corporate limits and

police jurisdiction of the City of Gulf Shores. Directional signs of this type must be earthtone in color and suitably landscaped at their bases and may be grouped together in this manner up to a maximum of eight (8), and are subject to site plan review as outlined in Article 15 of this Ordinance.);

- e. not be directly illuminated.
2. Travelers' Directional Signs giving directions to public and semi-public places shall:
- a. Provide directions only to locations within the corporate limits or police jurisdiction;
  - b. Be purchased by the applicant and installed by the City within the public right-of-way;
  - c. Conform to the standards established by the City with regard to materials and type of construction;
  - d. Require the approval of City Council with regard to number, location and content;
  - e. Be defined as those signs approved by the City Council which provide directions to schools, churches or hospitals.
- M. Traffic Control Devices to Conform to State Law. When the owner of real property allows said real property to be used by the public for the purpose of vehicular travel and/or as a quasi-public parking lot for the use of customers, tenants or employees of said property, the owner of said real property shall erect and maintain all traffic control devices in strict accordance with the rules and regulations in this Ordinance and in conformance with the Alabama Manual on Uniform Traffic Control Devices and any revisions thereof. In addition, the owner of said real property shall be required to meet the requirements of Section 32-5-31(a), Code of Alabama, 1975, with respect to local authorities in their respective jurisdictions.
- N. Gasoline and Other Pricing Signs. Signs advertising the price of gasoline, or other products or services are permitted in addition to any other signs permitted on the premises provided that:
- 1. Only one (1) sign shall be permitted per on-premises frontage provided further that a maximum of two (2) signs are permitted.
  - 2. The sign must be attached to a principal structure or to the structure of a permitted detached sign.
  - 3. If the sign is an independent detached sign it shall not exceed a height of five (5) feet.



4. The size of such sign shall not exceed twelve (12) square feet per sign face or an aggregate area of twenty-four (24) square feet.
  5. Signs which are placed on gasoline pumps in order to provide required information to the public regarding price per gallon or liter, type of fuel and octane rating shall not exceed three (3) square feet in surface area and six (6) square feet in total area.
  6. Sidewalk, sandwich, or other types of moveable signs are prohibited.
- O. Electronic Changeable Copy Signs. All electronic changeable copy signs shall be permitted as a form of detached sign and shall meet all of the requirements of detached signs. In addition, electronic changeable copy signs shall comply with the following regulations.

Detached Freestanding Signs:

1. Location. The sign must be located on the site of the use identified or advertised by the sign.
2. Number of Signs. No more than one (1) changeable copy sign or electronic changeable copy sign with a maximum of two (2) sides is permitted per lot of record. The sides of two-sided signs shall be parallel to each other.
3. Static Display. Display of message must be static. When the display of an electronic changeable copy sign changes, it must change as rapidly as is technologically feasible with no phasing, rolling, scrolling, flashing, twirling, blending, or in any manner which imitates movement.
4. Duration. Electronic changeable copy signs shall change no more than one (1) time per three (3) minutes.
5. Integrated Sign. Electronic changeable copy signs shall only be permitted as a portion of an on-premise detached sign. The electronic changeable copy sign portion may be separated from the remainder of the sign. If the electronic message center portion of the sign is being utilized after sunset, the existing static portion of the sign must be functioning, illuminated, and readable.
6. Area. The area of the electronic changeable copy sign may comprise no more than forty percent (40%) of the surface area of the allowable detached sign of which it is a part. Neither shall any portion of the electronic changeable copy sign project above the height of the permanent detached signage. Electronic changeable copy signs are secondary to the permanent non-changeable portions of the sign and should be designated in this regard.
7. Calculation of Area. An electronic changeable copy sign shall be included in the calculation of the total permitted sign area of the detached sign of which it is a part.

8. Character Size. An electronic changeable copy sign that is readily visible to drivers of vehicles on any public way must have characters of sufficient size to be easily discerned and must not constitute a safety hazard by distraction of drivers. The following are established as minimum sizes:
  - a. For all locations south of the Intracoastal Waterway , character size shall be a minimum of four inches (4") in height.
  - b. For all locations north of the Intracoastal Waterway with property containing frontage on State Highway 59, character size shall be a minimum of six inches (6").
  - c. For all locations north of the Intracoastal Waterway with property not containing frontage on State Highway 59, character size shall be a minimum of four inches (4").
9. Number of Lines. Electronic changeable copy signs may display up to a maximum of four (4) lines of characters at one time.
10. Brightness. The sign must have a maximum illumination of 3500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness. Prior to issuance of a sign permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the specified levels.
11. Dimmer Control. Electronic changeable copy signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one-half hour before sunset and one-half hour after sunrise. In addition, it must also be able to respond to lighting level changes occurring due to atmospheric conditions.
12. District Limitations. Electronic changeable copy signs, located within any residential district are allowed only for those uses as can be permitted by special exception.
13. Setback from Residential. The leading edge of an electronic changeable copy sign located in any district must be a minimum distance of one hundred feet (100') from an abutting residential district boundary.
14. Visibility. Electronic changeable copy signs may not face an abutting residential district. Adequate landscaping shall be provided to ensure that the view of the sign is obscured from abutting single-family or two-family residential zones.
15. Setback from Other Electronic Changeable Copy. Electronic Graphic Display or Video Display Signs. Electronic changeable copy signs

must be separated from other electronic changeable copy signs by at least fifty feet (50').

16. Color. Text message should be composed of one (1) color with the background composed of one (1) color. Pictures, logos, images, graphics, and symbols may be displayed from one color to full color.
17. Advertising. Other than allowances for time, date, and temperature, no commercial message may be displayed that does not pertain to the business conducted on-site. Non-commercial messages for community events, non-profit organizations or functions may be displayed as allowed by this ordinance.
18. Maintenance. All electronic changeable copy signs will be maintained in proper working order. Any dead zones or nonilluminated portions of the signs shall be replaced or repaired within thirty (30) days or the use of the sign shall be discontinued.
19. Safety. If at any time subsequent to the adoption of this Section of the Zoning Ordinance any portion of these regulations is deemed to be a safety hazard by the City of Gulf Shores, the City reserves the right to modify said regulations and all existing signs shall be modified to conform to the safety-related modifications.

Attached Flat Signs. Electronic changeable copy signs attached to buildings are only allowed as follows:

1. A maximum of one (1) sign per building or premises, whichever is less, is permitted for a site that does not contain any other electronic changeable copy sign, detached or wall mounted.
2. Such signs may not exceed twenty (20) square feet in area and will be counted toward the calculation for maximum signage for the building.
3. Wall mounted signs shall not be oriented toward adjacent residential uses.
4. Such signs must comply with all other applicable provisions of this ordinance.

#### 9-3. Zoning District Sign Regulations

All signs permitted in these regulations shall be establishment identification signs unless otherwise specified.

##### A. Signs Permitted in the AG District.

1. A name plate, one (1) for each street frontage on the premises, not to exceed two (2) square feet in area to identify the owner or occupant of a dwelling or building.
  2. Private directional signs indicating directions to a place or facility on the premises, not to exceed one (1) square foot in area.
  3. A non-illuminated or indirectly illuminated detached sign, limited in area to thirty-two (32) square feet, and not exceeding six (6) feet in height, to identify any allowable commercial, public, or semi-public use or to identify any single-family subdivision shall be allowed when complying with the following standards:
    - a. All visible materials shall be earth tone in color and shall be similar in design and materials to that of the principal building(s) on the site.
    - b. Suitable landscaping shall be provided at the base of any detached sign. For the purposes of this section, suitable landscaping shall include the use of and combination of appropriate ground covering vegetation, low growing shrubbery, flowering plants, stones, or mulch which are arranged in a logical fashion and integrated into the overall landscaping plan of the building site. Said landscaping shall occupy any area that extends not less than three (3) feet from the base of the sign around its entire periphery.
    - c. If the property has more than one (1) street frontage providing an access, one detached sign shall be allowed for each such frontage provided that the spacing between each sign shall not be less than three hundred (300) feet.
  4. Flat signs, non-illuminated or indirectly illuminated, with a total aggregate sign area of not more than ten (10) percent of the area of the front wall of the building and no one sign with sign area that exceeds thirty-two (32) square feet.
  5. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.
- B. Signs Permitted in the RR, R-1A, R-1B, RD, RML, and RMH Districts and RPC Residential Uses.
1. A name plate, one (1) for each street frontage on the premises not to exceed two (2) square feet in area to identify the owner or occupant of a dwelling or building.

2. Private directional sign indicating a direction to a place or facility on the premises, not to exceed one (1) square foot in area.
3. A detached sign, limited in area to fifteen (15) square feet, and not exceeding six (6) feet in height, to identify any residential development, including subdivisions and multi-family complexes, or to identify any other permitted public or semi-public use.  
Permitted sign area may be increased as follows:
  - a. The area of a detached sign may be increased one-tenth (1/10) square foot for each foot of frontage in excess of three hundred (300) feet, up to a maximum sign area of thirty-two (32) square feet.
  - b. If the property has more than one street frontage providing an access, one detached sign shall be allowed for each such frontage provided that the spacing between each sign shall be not less than three hundred (300) feet.
4. A customary church bulletin board, limited in area to fifteen (15) square feet.
5. A sign limited in area to fifteen (15) square feet for identification of permitted public and semi-public uses or clubs.
6. A sign identifying a multi-family structure limited in information to the name of the structure and the name, address and phone number of its management. Such sign shall be limited in area to five (5) square feet; provided, however, that this sign area may be increased by one-half (1/2) square foot for each dwelling unit in excess of three (3) dwelling units up to a maximum sign size of fifteen (15) square feet.
7. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.

C. Signs Permitted in the BR District.

1. Any sign permitted in the RMH District.
2. Flat signs, illuminated or non-illuminated, with a total aggregate sign area not more than ten (10) percent of the area of walls fronting on a street and no one sign with sign area of more than thirty-two (32) square feet. Illuminated signs inside of show windows and within five (5) feet thereof shall be included in the

computation of sign area and, in addition, shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing outlining a show window shall be included in sign area and measured by multiplying the length of the tubing by six (6) inches.

3. Projecting signs, illuminated or non-illuminated, one for each business on the premises with sign area limited to twenty (20) square feet.
4. One detached sign for each premises regardless of whether such premises contains one or more establishments. The detached sign shall not exceed ten (10) square feet in area except that if the frontage along the street on which the sign is to be erected exceeds fifty (50) feet, the sign area may be increased as follows:
  - a. The area of a directly illuminated detached sign may be increased one-fourth ( $1/4$ ) square foot for each foot of frontage in excess of fifty (50) feet up to a maximum sign area of thirty-two (32) square feet.
  - b. The area of an indirectly lighted or non-illuminated sign may be increased three-fourths ( $3/4$ ) square feet for each foot of frontage in excess of fifty (50) feet up to a maximum sign area of forty-eight (48) square feet.
  - c. The permitted sign area of a detached sign may be divided between two or more parts provided that all such parts are separated from each other by an open space of not less than three (3) inches and are supported by the same structure, and provided further that:
    - (1) If at least three-fourths ( $3/4$ ) of the space separating parts of the sign permits unobstructed view, such space shall not be included in determining sign area; and
    - (2) If the sign includes both illuminated and indirectly or non-illuminated parts, the increase in size of any part permitted in subsections 4a and 4b above will be limited to that part's proportionate share of total sign area.
5. Temporary, non-illuminated paper or painted signs in windows limited to twenty (20) percent of the total glass area of the window in which they are placed.
6. Directional signs limited in area to four (4) square feet giving directions to motorists regarding the location of parking areas and access drives shall be permitted as accessory signs and not included in any computation of sign area.
7. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise

permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.

D. Signs Permitted in the BG and CD Districts and RPC Commercial Uses.

1. Any sign permitted in the RMH and RPC Districts.
2. Flat signs, illuminated or non-illuminated, with a total aggregate sign area not more than twenty (20) percent of the area of the wall on which such signs are mounted and no individual sign with a sign area of more than one hundred twenty-five (125) square feet except that:
  - a. for every foot of setback from its frontage street in excess of one hundred (100) feet, the maximum area of an individual sign may be increased by four-tenths (0.4) square foot up to a maximum sign area of two hundred and fifty (250) square feet;
  - b. maximum sign area for an individual sign may be increased ten (10) square feet for each story in height that the sign is elevated above the second floor level of the building to which it is attached; and
  - c. for buildings with direct frontage along either State Highways 59 or 180 and which are located upon corner lots where an open public side street is present, additional sign area shall be permitted only when the following conditions are met:
    - (1) the building wall(s) which face(s) such side street(s) exceed(s) five thousand (5,000) square feet in area; and
    - (2) a maximum of three (3) accessory signs may be placed only upon such affected walls; and
    - (3) no individual sign shall exceed thirty-six (36) square feet; and
    - (4) in no case shall the total area of all such sign(s) exceed one hundred (100) square feet.
  - d. additional sign area permitted for corner lots, setback and height under provisions of subsections D-2a, D-2b, and D-2c above will not be included in the computation of the total aggregate sign area.

Illuminated signs of show windows and within five feet thereof shall be included in the computation of aggregate flat sign area and, in addition, shall be limited to twenty (20) percent of the total glass area of the window in which they are placed.

Neon tubing outlining all or portions of store windows shall be included in sign area and measured by multiplying the length of the tubing by six (6) inches.

3. Projecting signs, illuminated or non-illuminated, one for each business on the premises with sign area limited to forty (40) square feet.
4. One detached sign for each premises where the frontage of such premises is less than eight hundred (800) feet, regardless of whether such premises contains one or more establishments. More than one detached sign may be permitted where the frontage on a single premises is eight hundred (800) feet or more; the distance between signs may not be less than eight hundred (800) feet. The detached sign shall not exceed thirty-two (32) square feet in area except that if the frontage along the street on which the sign is to be erected exceeds fifty (50) feet, the sign area may be increased as follows:
  - a. The area of a detached sign may be increased three-fourths ( $\frac{3}{4}$ ) square foot for each foot of frontage in excess of fifty (50) feet up to a maximum sign area of ninety-six (96) square feet;
  - b. The permitted sign area of a detached sign may be divided between two or more parts provided that all such parts are separated from each other by an open space of not less than three (3) inches, are supported by the same structure, and provided further that:
    - (1) If at least three-fourths ( $\frac{3}{4}$ ) of the space separating parts of the sign permits unobstructed view, such space shall not be included in determining sign area.
  - c. For the purpose of these regulations, the allowed detached establishment identification sign may be placed upon property located directly across a public right-of-way from the principal premises only when the following conditions are met:
    1. The parcel upon which the detached establishment identification sign is to be located is separated by not more than a one hundred (100) foot right-of-way from the principal premises and in no case shall the principal premises be located more than one hundred ten (110) feet from the right-of-way of Gulf Shores Parkway on the north side of the Intracoastal Canal or more than two hundred (200) feet on the south side of the Intracoastal Canal.
    2. The parcel upon which the detached establishment identification sign is to be located is situated directly adjacent to the right-of-way of Gulf Shores Parkway north of 20<sup>th</sup> Avenue.



3. The parcel upon which the detached establishment identification sign is to be located is joined to the principal premises by a Unity of Title Declaration as defined and stipulated by the provisions of Section 8-12 of the Zoning Ordinance.
  4. No structure other than the permitted detached establishment identification sign shall be located upon the property.
  5. The detached establishment identification sign shall contain only that information which is relevant to the use of the principal premises for which it advertises and to which it is joined through an approved Unity of Title Declaration.
  6. The maximum size of the detached establishment identification sign shall be calculated by using the street frontage of the lot located along Gulf Shores Parkway and not the street frontage of the lot of the principal premises.
  7. Upon the release of the Unity of Title Declaration by the City as outlined in Section 8-12 of the Zoning Ordinance, the detached establishment identification sign shall be immediately removed.
  8. Requests per this Section will be reviewed through the site plan review process and may be approved by the approving authority subject to further conditions, related to, but not limited to, landscaping and sign height.
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5. Marquee signs, illuminated or non-illuminated, one for each business on the premises with sign area limited to three (3) square feet.
  6. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.
  7. Total sign area for all signs listed above in this District shall be limited to two hundred fifty (250) square feet except as otherwise provided in subsection C-2c above.
  8. Temporary, non-illuminated paper or painted signs in windows shall be limited to ten (10) percent of total glass area of the window in which they are placed.

9. Directional signs limited in area to four (4) square feet, giving directions to motorists regarding the location of parking areas, access drives, buildings, or places, shall be permitted as accessory signs and not included in any computation of sign area.

E. Signs Permitted in the BTL and BTB Districts and RPC Hotel/Motel Uses.

1. Any sign permitted in the RMH and RPC Districts.
2. Flat signs, illuminated or non-illuminated, with a total aggregate sign area not more than twenty (20) percent of the area of walls fronting on a street, and no one sign area of more than 125 square feet. Illuminated signs inside of show windows and within five feet thereof shall be included in the computation of aggregate sign area and, in addition, shall be limited to ten (10) percent of the total glass area of the window in which they are placed. Neon tubing outlining a window shall be included in sign area and measured by multiplying the length of the tubing by six (6) inches.
3. Projecting signs, illuminated or non-illuminated, one for each business on the premises with sign area limited to twenty (20) square feet.
4. One detached sign for each premises regardless of whether such premises contain one or more establishments. The detached sign shall not exceed thirty-two (32) square feet in area except that if the frontage along the street on which the sign is to be erected exceeds fifty (50) feet, the sign area may be increased as follows:
  - a. The area of a detached sign may be increased three-fourths ( $\frac{3}{4}$ ) square foot for each foot of frontage in excess of fifty (50) feet up to a maximum sign area of ninety-six (96) square feet.
  - b. The permitted sign area of a detached sign may be divided between two or more parts provided that all such parts are separated from each other by an open space of not less than three (3) inches and are supported by the same structure, and provided further that:
    - (1) If at least three-fourths ( $\frac{3}{4}$ ) of the space separating parts of the sign permits unobstructed view, such space shall not be included in determining sign area.
5. Marquee signs, illuminated or non-illuminated, one for each business on the premises with sign area limited to three (3) square feet.
6. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage

of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.

7. Total aggregate sign area for all signs listed above in this district shall be limited to one-hundred fifty (150) square feet for each fifty (50) feet of street frontage.
8. Temporary, non-illuminated paper or painted signs in windows shall be limited to ten (10) percent of the total glass area of the window in which they are placed.
9. Directional signs limited in area to four (4) square feet, giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.
10. Permitted sign area for a flat sign may be increased in area by ten (10) square feet for each story that it is elevated above the fourth floor level of the building to which it is attached and the additional sign area will not be included in the computation of the total aggregate sign area.

F. Signs Permitted in the BCR District.

1. Any sign permitted in the RMH District.
2. Flat signs, illuminated or non-illuminated, with total aggregate sign area not more than twenty (20) percent of the area of walls fronting on a street, and no one sign area of more than 125 square feet. Illuminated signs of show windows and within five feet thereof shall be included in the computation of aggregate sign area and, in addition, shall be limited to twenty (20) percent of the total glass area of the window in which they are placed. Neon tubing outlining store windows shall not be included in the computation of aggregate sign area.
3. Projecting signs, illuminated or non-illuminated, one for each business on the premises with sign area limited to six (6) square feet.
4. One detached sign for each premises regardless of whether such premises contains one or more establishments. The detached sign shall not exceed eighteen (18) square feet in area except that if the frontage along the street on which the sign is to be erected exceeds fifty (50) feet, the sign area may be increased as follows:
  - a. The area of a detached sign may be increased one-half (1/2) square foot for each foot of frontage in excess of fifty (50) feet up to a maximum sign area of ninety-six (96) square feet.

- b. The permitted sign area of a detached sign may be divided between two or more parts provided that all such parts are separated from each other by an open space of not less than three (3) inches and are supported by the same structures, and provided further that:
      - (1) If at least three-fourths (3/4) of the space separating parts of the sign permits unobstructed view, such space shall not be included in determining sign area.
  - 5. Marquee signs, illuminated or non-illuminated, one for each business on the premises with sign area limited to three (3) square feet.
  - 6. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.
  - 7. Total aggregate sign area for all signs listed above in this group shall be limited to two hundred (200) square feet for each fifty (50) feet of street frontage.
  - 8. Temporary, non-illuminated paper or painted signs in windows shall be limited to twenty (20) percent of the total glass area of the window in which they are placed.
  - 9. Directional signs limited in area to four (4) square feet, giving directions to motorists regarding the location of parking areas and access drives, shall be permitted as accessory signs and not included in any computation of sign area.
  - 10. Permitted sign area for a flat sign may be increased in area by ten(10) square feet for each story that it is elevated above the fourth floor level of the building to which it is attached, and the additional sign area will not be included in the computation of the total aggregate sign area.
- G. Signs Permitted in the I-1 and I-2 Districts.
- 1. Flat signs, illuminated or non-illuminated, with a total aggregate sign area not more than twenty (20) percent of the area of walls fronting on a street, and no one sign with a sign area of more than 200 square feet.
  - 2. Projecting signs, illuminated or non-illuminated, not to exceed one for each street frontage with the area of any individual sign limited to a total of sixty (60) square feet.

3. Detached sign, illuminated or non-illuminated, one for each street frontage with the area of any individual sign limited to a total of fifty (50) square feet.
4. Marquee facia signs, illuminated or non-illuminated, shall not exceed fifty (50) percent of the area of the marquee facia and shall not extend above the marquee to a height in excess of the depth of the marquee facia.
5. Signs, illuminated or non-illuminated, attached to the bottom of a marquee shall not exceed one (1) for each entrance on the premises with the maximum area limited to six (6) square feet for each sign.
6. Non-illuminated paper or painted signs, when located in show windows, shall not exceed in coverage thirty (30) percent of the total glass area of the window in which they are placed.
7. Roof signs shall not exceed an aggregate sign area of two and one-half (2 1/2) square feet of area for each one (1) lineal foot of related building wall fronting along street. The number of roof signs shall not exceed one (1) for each street frontage nor shall any one sign exceed maximum area of two hundred (200) square feet.
8. Directional signs, giving directions to motorists regarding the location of parking areas and access drives, shall not exceed eight (8) square feet in area and shall not be included in any computation of sign area.
9. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.

H. Signs Permitted in the A/TP District.

1. Signs in the A/TP (Amusement/Theme Park) District shall conform to the sign regulations for the BG and CD Districts except as otherwise provided below.
2. One detached sign shall be permitted for each 150 feet of street frontage on a premises. Where more than one detached sign is erected on a premises, each detached sign all be assigned a separate segment of street frontage for the purpose of determining maximum permitted sign area under provisions of subsection 9-3C4. Additional sign area permitted under provisions of this subsection (9-3C4) shall not be included in determining total permitted sign area as set forth in subsection 9-3C6.

3. There shall be no limitations on the size or type of signs, pennants, banners, and similar devices which are not visible from any street right of way or from any buildable land area beyond the premises on which such devices are placed.
4. Pennants and banners, visible from a public right of way, are permitted when complying with the following:
  - a. pennants and banners shall not be located nearer than 300 feet to any public right of way;
  - b. the total sign area of pennants and banners which are visible from any public street shall not exceed 110 square feet for each 75 feet of lot width at a distance of 300 feet from such public street provided that such width is measured along a line parallel to the street right of way line; and
  - c. the maximum height at which pennants and banners can be displayed shall be 20 feet above ground elevation or 20 feet above the principal building or structure on which they are mounted.
5. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.

I. Signs Permitted in the OS-1 District.

1. Flat signs fronting on a public street provided that such signs have an aggregate sign area not greater than five percent (5%) of the area of the wall on which they are mounted; are not directly illuminated; and have a maximum sign area of 32 square feet for any single sign.
2. Flat signs fronting on a waterway or body of water provided that such signs have an aggregate sign area not greater than five percent of the area of the wall on which they are mounted; are not directly illuminated; and have a maximum sign area of 64 square feet for any single sign.
3. One detached sign for each premises, regardless of the number of establishments on such premises, provided that such sign is set back not less than 5 feet from any street right of way line; has an area not exceeding 32 square feet; is not more than 6 feet in height; and is not directly illuminated. If the sign is located on a berm or wall, such sign shall not extend more than 2 feet above such berm or wall. If the frontage of a premise is greater than 450 feet, one

additional detached sign is permitted for each additional 450 feet of frontage length. The minimum distance between any two detached signs on a premise shall be 300 feet.

4. Detached signs fronting on a waterway or body of water and located not less than 100 feet from any public street right of way, provided that such detached signs are not directly illuminated; have a maximum sign area of 32 square feet for any individual sign; have an aggregate sign area not exceeding 1 square foot for each 1-foot of frontage; and do not exceed 25 feet in height.
5. A marina which has no water frontage, other than an access channel, may erect one (1) detached sign along such channel provided that the sign is not directly illuminated; has a sign area not greater than 32 square feet; and does not exceed 25 feet in height.
6. Directional signs providing directions to the locations of interior places and access drives, provided that such directional signs are not more than four (4) square feet in area; have a maximum height of five (5) feet; are not located closer than twelve (12) feet to any public street right of way line; and are not located within any required buffer area.
7. Signs which are located within a residential or commercial development and placed so that they are not visible from points outside the premises on which such development is located are exempt from sign regulations for the Open Space and Preservation District.
8. Freestanding wall or fence signs, provided that the total square footage of all such signs does not exceed that which is otherwise permissible for an individual detached sign on the same premises. In addition, the maximum allowable size of any permitted detached sign(s) on the premises shall be reduced by the total square footage of all freestanding wall or fence signs on the premises. The maximum height of a freestanding wall or fence sign shall not exceed the height of the wall or fence onto which it is located.

J. Signs Permitted in the Intracoastal Waterway District and Intracoastal Waterway District - East.

All signs erected within this district shall be consistent with the regulations of the BTB Zoning District except as modified herein.

1. All uses adjacent to the Intracoastal Waterway that provide a pedestrian path consistent with the Intracoastal Waterway District - East shall be allowed:
  - a. one (1) detached sign, maximum height 5 feet, maximum size 8 square feet, indirectly illuminated for placement adjacent to the ICW and said pedestrian path.

- b. One (1) wall mounted sign, maximum 16 square feet, non-illuminated for placement on the south face of the principal building.
2. The maximum height and size of any detached sign in the Intracoastal Waterway District - East shall be eight (8) feet and thirty-two (32) Square feet respectively.
3. A Master Signage Plan shall be permitted as outlined in Article 9 of the Zoning Ordinance. Such provisions shall be permitted for any site zoned Intracoastal Waterway District or Intracoastal Waterway District - East, so long as they have the minimum three (3) acre site requirement.

K. Master Signage Plan

A Master Signage Plan is designed to benefit the community in administering its sign regulations. The purpose of such a plan is twofold. (1) It provides a Master Plan for all signs on a lot and (2) It provides a Master Record of all signs on a lot. This provides the Zoning Administrator with information about existing signs on a site when considering a permit application for a new sign and also eliminates the need to recompute permitted sign area and numbers for a property every time a sign administration or enforcement question arises. By requiring planning and coordination of signs on a property, the streetscape will improve even though strict and detailed substantive requirements are not imposed.

It is, in a sense, a PUD for signs and imposes minimum area requirements so that it will only apply to large developments where a large number of signs will be present. It can be used as an incentive by rewarding developers who prepare and follow coordinated signage plans for the property. The provisions of the plan impose no maximum amounts of signage on the premises as a whole and also provides for a common detached sign which could be larger than is normally allowed. The standards for signage in the zoning districts in which the property is located shall be used as a guideline during the approval process, but certain deviations may be made depending upon the intensity and scope of the development if it is determined by the Zoning Official that the deviations are in keeping with the intent of this section.

1. The provisions as set forth in this section may be used in lieu of the provisions for signage in the BG, CD, I-1, I-2, and RPC zones only when all of the following criteria apply:
  - a. The development area for which a Master Signage Plan is filed is at least ten (10) acres in size.
  - b. The use for which a Master Signage Plan is filed can be characterized as either a campus, industrial park, office park, amusement park, shopping center, planned residential community, public or semi-public use, or a phase thereof.



- c. The premises has at least 200 feet of frontage along a public street.
2. No permit shall be issued for any sign(s) within a proposed Master Signage Plan designated area or a phase thereof unless and until a Master Signage Plan for the premises has been submitted to the Zoning Administrator and approved as conforming with this section.
3. For any area wishing to take advantage of this section, the owner(s) shall submit to the Zoning Administrator a Master Signage Plan containing the following:

An accurate plot plan of the premises at such a scale as the Zoning Administrator may reasonably require, showing:

- (1) Location of buildings, parking lots, driveways and landscaped areas;
  - (2) An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that accessory signs need not be shown;
  - (3) Computation of the total sign area, the area of each individual sign, the height of signs, and an outline of the building facades for which signs will be mounted.
4. A Master or Common Signage Plan shall be included in any development plan, site plan, planned unit development plan, or other official plan required by the City for the proposed development and shall be processed simultaneously with such other plan. For developments containing more than one phase, site or premises, a Master Signage Plan shall be required for each site or premises upon development.
  5. One detached sign, identifying the development as a whole, shall be allowed along the frontage street, and shall not exceed 150 square feet in total area. Each such sign identifying a development as a whole and placed along the frontage street shall be spaced at least fifty (50) feet from any adjoining property line.

In addition, detached signs identifying individual sites within the development shall be allowed when complying with the provisions as set forth in this section and shall be approved as part of a Master Signage Plan for the individual site.

6. Amendment. A Master or Common Signage Plan may be amended by filing a new Master or Common Signage Plan that conforms with all requirements of the ordinance then in effect.
7. Binding Effect. After approval of a Master or Common Signage Plan, no sign shall be erected, placed, painted, or maintained, except in

conformance with such plan, and such plan may be enforced in the same way as any provision of this ordinance. In case of any conflict between the provisions of such a plan and any other provision of this ordinance, the ordinance shall control.

9-4. Maintenance of Signs and Removal of Illegal Signs

- A. Maintenance. All signs shall be maintained in good condition and appearance. The Zoning Official may cause to be removed under the procedures described in subsection 9-4E below any sign which shows gross neglect or becomes dilapidated or where the area around such sign is not well maintained.
- B. On Vacated Premises. Any accessory sign previously associated with a vacated premises shall be either removed from the premises by the owner or lessee not later than thirty (30) days from the time such activity ceases to exist, or said signs shall be altered or resurfaced by the owner or lessee within the same thirty (30) day time period, so that the sign will not display letters, numerals, symbols, figures, designs, or any other device for visual communication that would pertain to the activity formerly associated with the vacated premises. Any sign not removed, altered or resurfaced in accordance with this subsection 9-4B shall be subject to removal in accordance with subsection 9-4E below.
- C. Certain Signs Deemed Nuisances Subject to Summary Abatement. Any sign erected or maintained in violation of subsection 9-2E (Signs Over Public Property), subsection 9-2G (Intersection Visibility) or subsection 9-2H1, 2, or 3 (Signs and Sign Devices Prohibited) of the Zoning Ordinance shall be deemed a dangerous and offensive public nuisance and shall be subject to summary removal by the Zoning Official, his authorized agent, or by any other law enforcement officer of the City of Gulf Shores without prior notice to any party. In the event the identity and address of the owner or lessee of the sign is disclosed on the removed sign itself, a notice of removal advising of the removal of the sign will be deposited in the United States mail, first class postage prepaid, addressed to such owner or lessee at the address indicated by the Zoning Official or his authorized agent.
- D. Certain Signs Subject To Removal On 24 Hours' Notice. Any sign erected or maintained in violation of subsection 9-2D (Pennants, Banners, Streamers) or subsections 9-2H4 or 5 (Signs and Sign Devices Prohibited) of the Zoning Ordinance shall be subject to summary removal by the Zoning Official, his authorized agent, or by any other law enforcement officer of the City of Gulf Shores acting on the authority of a search warrant or other appropriate judicial order if the condition of violation is not corrected within twenty-four (24) hours after a Notice of Cease and Desist is affixed to the sign by the Zoning Official. In the event the identity and address of the owner or lessee of the sign is disclosed on the sign itself, prior to removal a copy of the Notice of Cease and Desist shall be delivered to such owner or lessee by the Zoning Official or his authorized agent by leaving it at the address indicated, if located within the City limits of Gulf Shores, or

deposited in the United States mail, first class postage prepaid, addressed to such owner or lessee at the address indicated if located outside the City Limits of Gulf Shores.

In the event a sign erected or maintained in violation of subsection 9-2D or subsections 9-2H4 or 5 of the Zoning Ordinance is removed or the condition of violation is corrected after the affixing of a Notice to Cease and Desist by the Zoning Official, and the sign or a comparable sign is subsequently re-erected by or at the direction of the owner or lessee of either the site or the sign in violation of the same provision of subsection 9-2D or subsections 9-2H4 or 5 of the Zoning Ordinance cited in the original Notice to Cease and Desist, such re-erected sign or comparable sign shall be summarily removed by the Zoning Official, his authorized agent, or by any other law enforcement officer of the City of Gulf Shores acting on the authority of a search warrant or other appropriate judicial order without prior notice to any party. In the event the identity and address of the owner or lessee of the sign is disclosed on the removed sign itself, a notice of removal advising of the removal of the sign will be deposited in the United States mail, first class postage prepaid, addressed to such owner or lessee at the address indicated by the Zoning Official or his authorized agent.

- E. Certain Signs Subject To Removal On Seven Days' Notice. Except as otherwise provided in section 9-4C or D above, any sign erected or maintained in violation of the Zoning Ordinance shall be subject to summary removal by the Zoning Official, his authorized agent, or by any other law enforcement officer of the City of Gulf Shores acting on the authority of a search warrant or other appropriate judicial order if the condition of violation is not corrected within seven (7) days after a Notice to Cease and Desist is affixed to the sign by the Zoning Official or his authorized agent. In the event the identity and address of the owner or lessee of the sign is disclosed on the sign itself, prior to removal a copy of the Notice to Cease and Desist shall be delivered to such owner or lessee by the Zoning Official or his authorized agent by leaving it at the address indicated, if located within the City Limits of Gulf Shores or deposited in the United States mail, first class postage prepaid, addressed to such owner or lessee at the address indicated if located outside the City Limits of Gulf Shores.
- F. Impoundment and Disposition of Removed Signs. Except as otherwise provided in section 9-4G below, any sign removed by the Zoning Official, his authorized agent, or by any other law enforcement officer of the City of Gulf Shores pursuant to the authority of section 9-4 of the Zoning Ordinance shall be impounded by the City of Gulf Shores for a period of sixty (60) days. During such period, the owner or lessee of the sign may reclaim such sign upon presentation of satisfactory proof of ownership or lease rights and upon payment to the Zoning Official of the cost of removal of the sign and a storage fee of \$10.00 per day for each day of impoundment or a flat storage fee of \$50.00, whichever fee is greater. In the event an impounded sign is not reclaimed prior to the expiration of such period, such sign shall be deemed abandoned

property and shall thereafter be subject to disposal by the City as abandoned property.

- G. Issuance of Judicial Orders in Aid of the Removal of Signs. The Municipal Judges of the City of Gulf Shores shall have authority to issue search warrants and other appropriate orders within the jurisdiction of the Municipal Court in aid of the enforcement of section 9-4 of the Zoning Ordinance. Notwithstanding section 9-4F of the Zoning Ordinance, any sign removed under the authority of a search warrant or other judicial order shall be held and disposed of in accordance with the instructions of the Municipal Judge.
- H. Appeal Rights. Any person aggrieved by the affixing of a Notice to Cease and Desist to a sign or by the removal of a sign shall have appeal rights to the Board of Zoning Adjustment as provided in Article 16 of the Zoning Ordinance; provided, however, that, notwithstanding the provisions of section 16-5B of the Zoning Ordinance, the filing of an appeal from the affixing of a Notice to Cease and Desist pursuant to section 9-4D shall not stay the removal of the affected sign unless a restraining order against such removal is granted by the Board of Zoning Adjustment or by a court of record on application and notice to the Zoning Official and for good cause shown and provided, further, that the filing of an appeal from the removal of a sign pursuant to Section 9-4 of the Zoning Ordinance shall not necessitate the return of the sign to the appellant except upon the terms otherwise provided by the Zoning Ordinance or by the order of the Board of Zoning Adjustment or a court of record.
- I. Enforcement Provisions Cumulative. The provisions of this section of the Zoning Ordinance are cumulative with and not in derogation of the other provisions of the Zoning Ordinance pertaining to sanctions for violation of the Zoning Ordinance, including without limitation, section 17-6 of the Zoning Ordinance.